

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CRIMINAL PRODUCTIONS, INC.,

Plaintiff,

v.

PHILLIP BUCHANAN, an individual,

Defendant.

Civil Action No. 16-cv-1647RAJ

SECOND MOTION FOR ORDER TO
SHOW CAUSE

NOTE ON MOTION CALENDAR:
May 11, 2018

Plaintiff respectfully moves for a further order to show cause or other sanction against Defendant for failing to respond to the Court's March 19, 2018 Order or otherwise participate in good faith in this case.

Phillip Buchanan is the sole remaining defendant in this case. Defendant filed an answer May 23, 2017. (Dkt. 29) As confirmed in the previously submitted declaration of counsel, (Dkt. 48), Plaintiff has made multiple attempts over an extended period of time to obtain Defendant's participation in the required Rule 26(f) conference. Defendant has ignored all requests, making it impossible for Plaintiff to have the Rule 26(f) conference or commence formal discovery to prosecute this case.

As a result, the Court issued a Show Cause Order on March 19, 2018, ordering Defendant to explain within thirty (30) days why he should not be ordered to participate in good faith in the

SECOND MOTION FOR ORDER TO SHOW
CAUSE - 1

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INIP-6-0057P24 2ndMOTShowCause

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1 required Rule 26(f) conference and Joint Status Report preparation. (Dkt. 61) Defendant has failed
2 to respond to the Court's order.

3 Plaintiff accordingly requests an order to show cause to show cause why Defendant should
4 not be ordered to participate in good faith in the required Rule 26(f) conference or, in the alternative,
5 should not be found in default as a sanction for failing to respond to the Court's March 19, 2018 Order
6 or otherwise participate in good faith in this case.

7
8 RESPECTFULLY SUBMITTED April 24, 2018

9 s/David A. Lowe, WSBA No. 24,453

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11 Seattle, WA 98104

12 T: 206.381.3300

13 Attorneys for Plaintiff



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served to all counsel or parties of record who are deemed to have consented to electronic service via the Court's CM/ECF system, and via U.S. Mail to:

Phillip Buchanan
8020 Mukilteo Speedway - Apt. 8
Mukilteo, WA 98275

s/ David A. Lowe

SECOND MOTION FOR ORDER TO SHOW
CAUSE - 3

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